

1 BILL NO. Z-82-01-17

2 ZONING MAP ORDINANCE NO. 7-10-82

3 AN ORDINANCE amending the City of Fort
4 Wayne Zoning Map No. N-2.

5 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF
6 FORT WAYNE, INDIANA:

7 SECTION 1. That the area described as follows is
8 hereby designated a B-1-B District under the terms of Chapter
9 33, The Code of the City of Fort Wayne, Indiana of 1974;

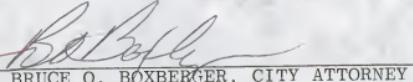
10 The north 75' of the east half of
11 Lot #21 and the south 75' of the
12 east half of Lot #21 in Eliza Hanna's
13 Sr.'s Addition,

14 and the symbols of the City of Fort Wayne Zoning Map No. N-2,
15 referred to therein, established by Section 33-11 of said Chapter
16 are hereby changed accordingly.

17 SECTION 2. That this Ordinance shall be effective
18 upon passage, approval by the Mayor and legal publication
19 thereof.

20 
21 COUNCILMAN

22 APPROVED AS TO FORM
23 AND LEGALITY JANUARY 22, 1982

24 
25 BRUCE O. BOXBERGER, CITY ATTORNEY
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Read the first time in full and on motion by Enslin,
seconded by Stier, and duly adopted, read the second time
by title and referred to the Committee Regulation (and the City
Plan Commission for recommendation) and Public Hearing to be held after
due legal notice, at the Council Chambers, City-County Building, Fort Wayne,
Indiana, on 19, the 19 day of April, at 10:00 o'clock A.M., E.S.T.

DATE: 1-26-82

Charles W. Westerman
CHARLES W. WESTERMAN - CITY CLERK

Read the third time in full and on motion by Enslin,
seconded by Stier, and duly adopted, placed on its
passage. PASSED (LOST) by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT:
<u>TOTAL VOTES</u>	<u>7</u>	<u>1</u>		<u>1</u>	
<u>BRADBURY</u>	<u>X</u>				
<u>BURNS</u>	<u>X</u>				
<u>EISBART</u>	<u>X</u>				
<u>GiaQUINTA</u>	<u>X</u>				
<u>NUCKOLS</u>					<u>X</u>
<u>SCHMIDT</u>	<u>X</u>				
<u>SCHOMBURG</u>	<u>X</u>				
<u>STIER</u>	<u>X</u>	<u>X</u>			
<u>TALARICO</u>	<u>X</u>				

DATE: 4-13-82

Charles W. Westerman
CHARLES W. WESTERMAN - CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne,
Indiana, as (ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL)
(APPROPRIATION) ORDINANCE (RESOLUTION) NO. 3-10-82
on the 13th day of April, 1982.

ATTEST:

(SEAL)

Charles W. Westerman
CHARLES W. WESTERMAN - CITY CLERK

Samuel J. Talarico
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on
the 14th day of April, 1982, at the hour of
11:00 o'clock A.M., E.S.T.

Charles W. Westerman
CHARLES W. WESTERMAN - CITY CLERK

Approved and signed by me this 16th day of April,
1982, at the hour of 11:00 o'clock A.M., E.S.T.

John W. Moses
WIN MOSES, JR. - MAYOR

BILL NO. Z-82-01-17

REPORT OF THE COMMITTEE ON REGULATIONS

WE, YOUR COMMITTEE ON Regulations TO WHOM WAS REFERRED AN
ORDINANCE amending the City of Fort Wayne Zoning Map No. N-2

HAVE HAD SAID ORDINANCE UNDER CONSIDERATION AND BEG LEAVE TO REPORT
BACK TO THE COMMON COUNCIL THAT SAID ORDINANCE DO PASS.

BEN A. EISBART - CHAIRMAN

Ben A. Eisbart

JANET G. BRADBURY - VICE CHAIRMAN

Janet G. Bradbury

PAUL M. BURNS

Paul M. Burns

JOHN NUCKOLS

John Nuckols

ROY J. SCHOMBURG

DATE 4-12-82 CONCURRED IN
CHARLES W. WESTERMAN, CITY CLERK

RECEIPT

COMMUNITY DEVELOPMENT & PLANNING

No 7202

FT. WAYNE, IND.

December 17 1981

RECEIVED FROM

Shirley Dowell

\$50.00

THE SUM OF

Fifty Dollars ⁰⁰

DOLLARS

100

ON ACCOUNT OF

Reyoung

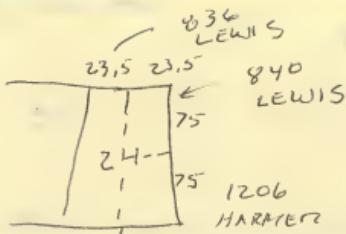
R-3 to B1B

cash

Kim Yozulet

AUTHORIZED SIGNATURE

N-2



N 75' E'
S 75' E'
SHIR-NES
BEAUTY SUPPLY
INC

W 1/2 SIMON & C.F. SIMON



**ZONING RECLASSIFICATION FROM
A R-3 TO A BIB DISTRICT**

Z-82-01-17

MAP NO. N-2

BY G.R. LAX 12-21-81

RECEIPT NO. 7202

DATE FILED 12-17-81

INTENDED USE Beauty Salon

THIS IS TO BE FILED IN DUPLICATE

I/We Shirley Dowdell Shirley Dowdell
(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne Indiana, by reclassifying from a/an A-3 District to a/an B-1B District the property described as follows:

No 75 feet of east half of the Lot # 21 & the So. 75 ft. of the
east half of Lot 21 in Eliza Hanna St. s Addition in Deed Re-
cord 60, pg 262 in the Office of the Recorder of
Allen County, Ind. & [REDACTED]

(Legal Description) If additional space is needed, use reverse side.

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

Shirley Dowdell

1202 Summit St.

Shirley Dowdell

Eddi Dowdell

821 Eckart St.

Eddi Dowdell

(Name)

(Address)

(Signature)

(If additional space is needed, use reverse side.)

Legal Description checked by _____

NOTE FOLLOWING RULES

All requests for deferrals, continuances, withdrawals, or request that the ordinance be taken under advisement shall be filed in writing and be submitted to the City Plan Commission prior to the legal notice pertaining to the ordinance being sent to the newspaper for legal publication. If the request for deferral, continuance or request that ordinances be taken under advisement is received prior to the publication of the legal ad being published the head of the Plan Commission staff shall not put the matter on the agenda for the meeting at which it was to be considered. The Plan Commission staff will not accept request from petitioners for deferrals, continuances, withdrawals, or requests that an ordinance be taken under advisement, after the legal notice of said ordinance is forwarded to the newspaper for legal publication but shall schedule the matter for hearing before the City Plan Commission. (FILING FEE \$50.00)

Name and address of the preparer, attorney or agent.

Shirley L. Dowdell
(Name)

1202 Summit St. Wayne
(Address & Zip Code)

422-1311
(Telephone Number)

COMMUNITY DEVELOPMENT AND PLANNING / Division of Long Range Planning & Zoning and (CITY PLAN COMMISSION) / Room #830, City-County Building, One Main Street, Fort Wayne, IN 46802 (PHONE: 219/423-7571)

Applicants, Property owners and preparer shall be notified of the Public Hearing approximately ten (10) days prior to the meeting.

426-57929
422-5 422-8119

Legal Description of property to be rezoned.

Same as front Sheet

Owners of Property

Shady & Dowdell

% SBA loan #mc 117759

1202 Summit

30-01 Ad

Shady Dowdell

375 N. Pennsylvania

Indianapolis Ind 46209

(Name)

(Address)

(Signature)

NOTE: All checks are to be made payable to: CITY OF FORT WAYNE

This form is to be filed in duplicate.

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on January 26, 1982, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-82-01-17; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on February 8, 1982;

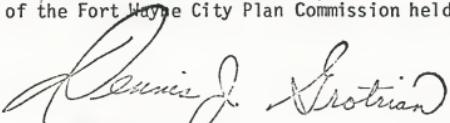
NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend by a motion by Ben Eisbart, seconded by Robert Hutner that this ordinance be returned to the Common Council with a DO PASS recommendation based on the Commission's following "Findings of Fact":

- (1) the grant will not be injurious to the public health, safety, morals, and general welfare of the community;
- (2) the use or value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner;
- (3) the need for the rezoning arises from some condition peculiar to the property involved and the condition is not due to the general conditions of the neighborhood;
- (4) the strict application of the terms of the zoning ordinance will constitute an unusual and unnecessary hardship if applied to the property for which the variance is sought; and,
- (5) the grant does not interfere substantially with the comprehensive plan adopted under the 500 series of the metropolitan development law.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held March 22, 1982.

Certified and signed this
29th day of March 1982.


Dennis J. Grotian
Secretary



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

29 March 1982

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is a resolution pertaining to a zoning ordinance amendment acted upon by the City Plan Commission at their meeting held March 22, 1982. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance:

1. Bill No. Z-82-01-17
2. From R-3 to B-1-B
3. Intended Use: Beauty Salon
4. Plan Commission Recommendation: DO PASS

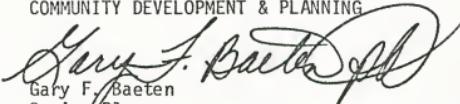
This ordinance received a DO PASS recommendation for the following reason:

- a. The Commission felt this would have no adverse impact on the surrounding area and the rezoning was supported by the Neighborhood Association.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

COMMUNITY DEVELOPMENT & PLANNING


Gary F. Baeten
Senior Planner

GFB:pb

Attachments

DIGEST SHEET

TITLE OF ORDINANCE Zoning Ordinance Amendment

3-82-01-17

DEPARTMENT REQUESTING ORDINANCE Long Range Planning & Zoning - CD&PSYNOPSIS OF ORDINANCE The north 75' of the east half of Lot #21 and the south 75' of the east half of Lot #21 in Eliza Hanna's Sr.'s Addition.EFFECT OF PASSAGE Property is now zoned R-3 - Multiple Family Residential.
Property will become B-1-B - Limited Business.EFFECT OF NON-PASSAGE Property will remain R-3 - Multiple Family Residential.

MONEY INVOLVED (Direct Costs, Expenditures, Savings)

ASSIGNED TO COMMITTEE (J.N.)



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

room 122

charles w. westerman, clerk

April 19, 1982

Ms. Judy High
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, Indiana 46802

Dear Ms. High:

Please give the attached full coverage on the dates of April 21, 1982 and April 28, 1982, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council
of Fort Wayne, Indiana

Bill No. Z-82-01-17
Zoning Map Ordinance No. Z-10-82

Bill No. G-82-03-13
General Ordinance No. G-05-82

Bill No. S-82-03-04
Special Ordinance No. S-59-82

Please send us 16 copies of the Publisher's Affidavit from both newspapers.

Thank you.

Sincerely,

Charles W. Westerman
Charles W. Westerman
City Clerk

CWW/mw
Encl: 1

LEGAL NOTICE

Notice is hereby given that on the 13th day of April, 1982, the Common Council of the City of Fort Wayne, Indiana, in Regular Session did pass the following Bill No. Z-82-01-17 -- Zoning Map Ordinance No. Z-10-82, AN ORDINANCE amending the City of Fort Wayne Zoning Map No. N-2.

Notice is hereby given that on the 13th day of April, 1982, the Common Council of the City of Fort Wayne, Indiana in Regular Session did pass the following Bill No. G-82-03-13 -- General Ordinance No. G-05-82 -- AN ORDINANCE amending certain Sections of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974.

Notice is hereby given that on the 13th day of April, 1982, the Common Council of the City of Fort Wayne, Indiana, in Regular Session did pass the following Bill No. S-82-03-04 -- Special Ordinance No. S-59-82, AN ORDINANCE amending certain sections of the Municipal Code of the City of Fort Wayne, Indiana relative to traffic violations.

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana do hereby certify that Bill No. Z-82-01-17 -- Zoning Map Ordinance No. Z-10-82, Bill No. G-82-03-13 -- General Ordinance No. G-05-82 and Bill No. S-82-03-04 -- Special Ordinance No. S-59-82, were passed by the Common Council on the 13th day of April, 1982, said Ordinances were signed and approved by the Mayor on the 16th day of April, 1982, and remain on file and on record in my office.

Copies of Bill No. Z-82-01-17 -- Zoning Map Ordinance No. Z-10-82, Bill No. G-82-03-13 -- General Ordinance No. G-05-82 and Bill No. S-82-03-04 -- Special Ordinance No. S-59-82 will be posted for reading in the following places in Fort Wayne, Allen County, Indiana.

- (1) The main floor of the City-County Building
- (2) The bulletin board in the lobby of Downtown Fort Wayne Public Library
- (3) The bulletin board in the lobby at the East door of the Allen County Court House

Copies of Bill No. Z-82-01-17 -- Zoning Map Ordinance No. Z-10-82, Bill No. G-82-03-13 -- General Ordinance No. G-05-82 and Bill No. S-82-03-04 -- Special Ordinance No. S-59-82 will be available for reading in the following places in Fort Wayne, Allen County, Indiana.

- (1) Reference Room in the north end of the main floor in said Downtown Public Library
- (2) The Journal of the Common Council Proceedings in the Office of the City Clerk of Fort Wayne, Indiana.

Charles W. Westerman

Charles W. Westerman
City Clerk

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, fulfilled and posted the above ordinance in the designated places as stated on April 21, 1982.

Charles W. Westerman

Charles W. Westerman
City Clerk

Fort Wayne Common Council

(Governmental Unit)

Allen

County, Ind.

To JOURNAL-GAZETTE Dr.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines

Head	number of lines	1
Body	number of lines	85
Tail	number of lines	2
Total number of lines in notice		88

COMPUTATION OF CHARGES

88	1	columns wide equals	88	equivalent lines at	.300¢	\$ 26.40
				cents per line				

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)	14 extra	\$ 7.00
		\$ 33.40

TOTAL AMOUNT OF CLAIM.

DATA FOR COMPUTING COST

Width of single column 9.6 picas	Size of type.....	6 point
Number of insertions 2	Size of quad upon which type is cast	6	

Pursuant to the provision and penalties of Ch. 89., Acts 1967.

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Arnold De Told

Date Apr. 26, 1982

Title CLERK

Form 904

PUBLISHER'S AFFIDAVIT

State of Indiana

All FPN Cases

Copies of Bill No. Z-82-01-17

Common Council of the City of Fort Wayne, Indiana in Regular Session did pass the following Bill No. Z-82-01-17—General Ordinance No. G-05-82—AN ORDINANCE amending certain Sections of the City Charter and the Code of the City of Fort Wayne, Indiana of 1974.

Notices is hereby given that on the 13th day of April, 1982, the Common Council of the City of Fort Wayne, Indiana, in Regular Session did pass the following Bill No. S-82-03-04—Special Ordinance No. S-59-82, AN ORDINANCE amending certain Sections of the Municipal Code of the City of Fort Wayne, Indiana relative to traffic violations.

Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana do hereby certify that the above-mentioned notices were published in the City of Fort Wayne, Indiana in the Zoning Map Ordinance No. Z-10-82, Bill No. G-82-03-13—General Ordinance No. G-05-82, and Special Ordinance No. S-59-82, and will be available for reading in the following places in Fort Wayne, Allen County, Indiana.

(1) The main floor of the City-Court Building

(2) The bulletin board in the lobby at the downtown Fort Wayne Public Library.

(3) The bulletin board in the lobby at the front door of the Allen County Court House.

Copies of Bill No. Z-82-01-17—General Ordinance No. G-05-82—General Ordinance No. G-05-82 and Bill No. S-82-03-04—Special Ordinance No. S-59-82 will be available

for reading in the following places in Fort Wayne, Allen County, Indiana.

EWALD who, being duly sworn, says

K. of the

newspaper of general circulation printed and published

FORT WAYNE, INDIANA

it the printed matter attached hereto is a true copy,

two times

, the dates of publication being

/82

Arnold De Told

3rd day of April 1982

Arnold De Told

29, 1982

Arnold De Told

ATTACH
ADVERTISEMENT

LEGAL NOTICE

Notice is hereby given that on the 13th day of April, 1982, the Common Council of the City of Fort Wayne, Indiana, in Regular Session did pass the following Bill No. Z-82-01-17—Zoning Map Ordinance No. Z-10-82—AN ORDINANCE amending certain Sections of the City of Fort Wayne Zoning Map No. N-2.

Notice is hereby given that on the 13th day of April, 1982, the

My com

Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, fulfilled and posted the above ordinance in the designated places as of April 21, 1982.

Charles W. Westerman
City Clerk
4/21-26

Fort Wayne Common Council

(Governmental Unit)

Allen

County, Ind.

To JOURNAL GAZETTE Dr.

FORT WAYNE, INDIANA

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cents per line		

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Charge for extra proofs of publication (50 cents for each proof in excess of two)	1 ^{1/2} extra	\$ 7.00
---	------------------------	---------

TOTAL AMOUNT OF CLAIM.		\$ 33.40
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DATA FOR COMPUTING COST

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Arville De Told

Date Apr. 26, 1982

Title CLERK

Form 904

PUBLISHER'S AFFIDAVIT

State of Indiana

ALLEN County SS:

Personally appeared before me, a notary public in and for said county and state, the undersigned, ARVILLE DEWALD, who, being duly sworn, says that she is CLERK

JOURNAL GAZETTE

a newspaper of general circulation printed and published in the English language in the city town of FORT WAYNE, INDIANAin state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two times, the dates of publication being as follows: 4/21 - 4/28/82Subscribed and sworn to before me this 28th day of April, 1982My commission expires November 29, 1985

Notary Public

, APRIL 21

